

Message Text

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ACTION AF-06

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COME-00 DODE-00 DOTE-00 EB-07 EPA-01 ERDA-05 FEAE-00

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E.O. 11652: N/A

TAGS: OAU PLOS

SUBJECT: KAMPALA OAU LOS EXPERTS MEETING: REPORT ON THE UN LOS
CONFERENCE

REF: ADDIS 8265

1. EMBASSY HAS OBTAINED REPORT OF THE OAU GENERAL SECRETARIAT
ON THE UN LOS CONFERENCE (CONVENING OF AN INTER-AFRICAN MEETING
OF EXPERTS) -- CM/670 (XXV). GISTING OF SUBSTANCE THIS REPORT
FOLLOWS:

A. DOCUMENT OPENS WITH REVIEW OF AFRICAN GROUPS' ACTIVITIES
AND OBJECTIVES IN LOS CONTEXT. ON OBJECTIVES, REPORT STATES THAT
AF'S WORKED IN POLITICAL CONTEXT TO CONFIRM RIGHT OF LIBERATION
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MOVEMENTS TO TAKE PART IN THE CONFERENCE, AN EFFORT WHICH WAS

SYSTEMATICALLY BUT UNSUCCESSFULLY OPPOSED BY THE US, SOUTH AFRICA, ISRAEL AND FRANCE. AFRICA ALSO INTRODUCED "A NEW IDEA" NAMELY DEFINITION OF 12 NAUTICAL MILE TERRITORIAL SEA AND 200 MILE EXCLUSIVE ECONOMIC ZONE OVER WHICH STATES TO EXERCISE FULL SOVEREIGN RIGHTS. AFRICA ALSO PROPOSED ESTABLISHMENT OF INTERNATIONAL MACHINERY WITH EXTENSIVE POWERS TO EXPLOIT SEABED AND OCEAN FLOOR BEYOND THE ECONOMIC ZONE FOR THE COMMON GOOD. THESE IDEAS WON LARGE MEASURE OF SUPPORT AND, FOLLOWING CARACAS MEETING, HAD APPARENTLY BEEN AGREED.

B. UNFORTUNATELY, DC'S HAD SECOND THOUGHT ABOUT THIS AGREEMENT IN SECOND SESSION. THE CONFERENCE'S OBJECTIVE WAS TO TRY TO FIND SOME COMMON GROUND FOR AGREEMENT BETWEEN TRADITIONAL MARITIME POWERS "POSSESSING A LOS DRAFTED BY THEM AND INTENDED TO SERVE THEIR BASIC INTERESTS ON THE ONE HAND, AND A THIRD WORLD INCREASINGLY AWARE OF ITS RIGHTS AND INTERESTS AND RIGHTFUL ROLE IN SHAPING WORLD POLICY, ON THE OTHER."

C. MARITIME POWERS, PARTICULARLY US, DESPATCHED SERIES OF MISSIONS AT INCEPTION OF CONFERENCE IN ATTEMPT CONVINCE THIRD WORLD OF NEED TO AVOID "POLITICIZING THE MATTER," I.E. TO ADOPT STRATEGY AND TACTICS WHICH WOULD CONFIRM THE ADVANTAGES ACQUIRED BY THE MARITIME POWERS AND DC'S GENERALLY.

D. AFRICA WENT TO CONFERENCE ON PLATFORM DEFINED BY OAU CM AND CONFIRMED BY AF'S CHIEFS OF STATE AND GOVERNMENT. REGRETTABLY, AGREED AFRICAN POSITION WAS WEAKENED BY "SOME AFRICAN DELEGATIONS" WHO CHOSE TO JOIN THEIR INTEREST TO THOSE OF THE SO-CALLED LAND-LOCKED EUROPEAN COUNTRIES. MOREOVER, PLATFORM APPROVED BY AFRICAN HEADS OF STATE AND GOVERNMENT WAS CONSIDERED TOO REVOLUTIONARY BY SEVERAL ASIAN AND LATIN AMERICAN COUNTRIES WHICH FELT IT EMBODIED NOTIONS THEY THEMSELVES WERE NOT PREPARED TO ACCEPT.

E. THE "GENTLEMEN'S AGREEMENT" ACHIEVED IN CARACAS -- PARTICULARLY CONCERNING THE 200 NAUTICAL MILE ECONOMIC ZONE -- WAS NOT RESPECTED AT GENEVA BY THE GREAT POWERS, ESPECIALLY THE US. THESE POWERS ATTEMPTED EMPLOY PRESSURE AND BLACKMAIL TO ACHIEVE THEIR OBJECTIVES. "MULTINATIONALS" WERE HEAVILY REPRESENTED WITHIN THE NORTH AMERICAN DELEGATION. THE GREAT POWERS ARRANGED FOR THE GROUP OF LANDLOCKED AND DISADVANTAGED COUNTRIES TO INTERVENE. "THEIR TACTICS CONSISTED IN ELIMINATING ANY RESOLUTION OR REFERENCE PERTAINING TO PRIORITY TO BE GIVEN TO DEVELOPING COUNTRIES, AND PARTICULARLY DEVELOPING COUNTRIES LACKING A COAST, WHILE INSTITUTING INSTEAD A REFERENCE TO LANDLOCKED AND DISADVANTAGED COUNTRIES."

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"IN OTHER WORDS, IT WOULD BE EASY FOR BIG MULTINATIONAL GROUPS LIKE THOSE IN THE US TO BENEFIT BY A PRIVILEGED REGIME SIMPLY BY MAKING USE OF THE FLAGS OF SWITZERLAND AND AUSTRIA. MOREOVER, THE US DELEGATION DECLARED THAT THE CONGRESS HAD AGREED TO THE ESTABLISHMENT OF A (US) BODY FOR THE EXPLOITATION OF THE SEABED IN THE INTERNATIONAL ZONE. THE US DELEGATION ALSO DECLARED THAT IT WAS DEMANDING AGREEMENT ON AND SIGNATURE OF A CONVENTION ON THE LOS BEFORE JANUARY 1, 1976

FAILING WHICH US COMPANIES WOULD UNILATERALLY BEGIN EXPLOITATION OF THE RESOURCES OF THE SUBSOIL IN THE OCEAN FLOOR COMMENCING JUNE 1, 1976. THE CONFERENCE ENDED IN DEADLOCK AS THE INTERESTS OF THE GREAT POWERS, THOSE OF THE DC'S AND THOSE OF THE LDC'S COULD NOT BE RECONCILED. IT WAS THEREUPON AGREED TO HOLD A THIRD SESSION. AFRICA HOPES THAT THIS SESSION WILL BE HELD IN AFRICA OR LATIN AMERICA.

F. AT PRESENT A DANGEROUS SITUATION HAS ONCE AGAIN DEVELOPED WITHIN THE AFRICAN GROUP WHICH MIGHT SPLIT. THE KAMPALA 10 JULY MEETING OF AFRICAN LOS EXPERTS IS TO ATTEMPT TO FIND A SOLUTION TO THE DIFFERENCES THAT HAVE APPEARED BETWEEN AFRICAN COASTAL AND LANDLOCKED COUNTRIES.

2. A DOCUMENT PROPOSED BY BOTSWANA (CM/670 (XXV) ANNEX 1) IS APPENDED TO THE REPORT. WE SHALL POUCH BOTH DOCUMENTS TODAY (JULY 11) TO AF/RA.

3. COMMENT: WE ASSUME THAT THIS REPORT WAS DRAFTED BY OAU/SEC GEN NOUREDDINE DJOUDI (ALGERIAN). IT IS POLEMIC IN TONE AND VERY SHORT ON SUBSTANCE. WE WOULD SPECULATE THAT ITS TRANSPARENT ATTEMPT TO MAKE THE US/DC THE VILLAINS OF THE PIECE WILL NOT STAND UP. THE WEAKNESS OF THE OAU POSITIONS ON LOS PREVIOUSLY ADOPTED IS SIMPLY THAT THEY DID NOT ADEQUATELY SERVE THE WIDELY DIVERGENT INTERESTS OF AFRICAN COASTAL AND LANDLOCKED STATES. WE ESTIMATE THAT UN LOS CONFERENCE POSITIONS WHICH TAKE REASONABLE ACCOUNT OF THESE DIVERGENT INTERESTS WILL ULTIMATELY OBTAIN THE SUPPORT OF AFRICAN STATES.

4. DEPT REPEAT AS DESIRED.
HUMMEL

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